

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

**DONNA CAM RYAN, as *
Administrator of the Estate of Korey *
Thomas Ryan, Deceased, ***

Plaintiff,

v.

NUCOR STEEL TUSCALOOSA,
INC.; FICTITIOUS PARTY
DEFENDANT, A, being that person,
firm, sole proprietorship,
partnership, corporation, or other
legal entity which has an ownership
interest in Nucor Steel Tuscaloosa
Inc; DEFENDANT B, being that person,
firm, sole proprietorship, partnership,
corporation, or other legal entity
that is legally responsible or
could be legally responsible under
respondeat superior and/or agency
and/or under any type of contractual
relationship and/or under Alabama
law for the actions of Billy Edwards
on October 23, 2014, whose identity
is unknown at this time but will be
added by amendment when
ascertained; DEFENDANT C,
being that person, firm, sole
proprietorship, partnership,
corporation, or other legal entity that
is legally responsible or could be

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TRIAL BY JURY

legally responsible under Alabama law for the accident which resulted in the death of Korey Thomas Ryan, whose identity or causal connection is unknown at this time; DEFENDANT D, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity which employed or had a contractual relationship with Billy Edwards, *

Defendants.

COMPLAINT

THE PARTIES

1. The Plaintiff, Donna Cam Ryan, is an adult citizen of Tuscaloosa County and is over the age of nineteen years. Mrs. Ryan resides at 11151 Hillcrest Villa Drive in Tuscaloosa. Mrs. Ryan is the mother of the deceased, Korey Thomas Ryan, and she has been duly appointed as Personal Representative of the Estate of Korey Thomas Ryan. Donna Cam Ryan brings this suit individually and in her own capacity as Personal Representative of the Estate of Korey Thomas Ryan.

2. The Defendant, Nucor Steel Tuscaloosa, Inc., is a foreign corporation by virtue of its being incorporated in Delaware, a state other

than Alabama, and also having its principal place of business in Delaware. The registered agent for service of process upon Nucor Steel Tuscaloosa, Inc. is CT Corporation System, 2 North Jackson Street, Suite 605, Montgomery, Alabama.

3. Defendant, Fictitious Party A, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity which has an ownership interest in Nucor Steel Tuscaloosa, Inc.

4. Defendant, Fictitious Party B, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity that is legally responsible or could be legally responsible under *respondeat superior* and/or agency and/or under any type of contractual relationship and/or under Alabama law for the actions of Billy Edwards on October 23, 2014, whose identity is unknown at this time but will be added by amendment when ascertained.

5. Defendant, Fictitious Party C, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity that is legally responsible or could be legally responsible under Alabama law for the incident which resulted in the death of Korey Thomas Ryan, whose identity or causal connection is unknown at this time.

6. Defendant, Fictitious Party D, being that person, firm, sole proprietorship, partnership, corporation, or other legal entity which employed or had a contractual relationship with Billy Edwards.

STATEMENT OF JURISDICTION

7. The Plaintiff is a citizen of the State of Alabama. The Defendants are corporations incorporated under the laws of the State of Delaware with their principal place of business in the state of Delaware. The amount in controversy, without interest and costs, exceeds the sum of value specified by 28 U.S.C. § 1332.

STATEMENT OF THE FACTS

8. On or about October 23, 2014, Billy Edwards, an employee/agent of Nucor Steel Tuscaloosa, Inc., (hereinafter referred to as Nucor) was working in the line and scope of his employment with Nucor as a crane operator. Mr. Edwards was operating a 30 ton DeShazo Bridge Crane with floor rail system that was owned, operated and controlled by Nucor, and was maintained and repaired and serviced by Nucor. Korey Thomas Ryan was an employee of Onin Staffing, a temporary service agency in Tuscaloosa, and was provided to Nucor by Onin to perform work and was working at the Nucor plant on October 23, 2014 at the time of the

accident. Korey Thomas Ryan was working in the line and scope of his employment with Onin Staffing at the time of the accident but was working at Nucor.

9. On October 23, 2014, Billy Edwards was operating the DeShazo bridge crane and was moving a sheet of steel to the hot bed when one of the wheels of the crane's floor rail system ran over Korey Thomas Ryan's foot. Mr. Ryan's foot was pinned in the wheel of the crane's floor rail system causing Korey Thomas Ryan to be crushed against a steel beam. Korey Thomas Ryan sustained severe and life threatening injuries as a result of the accident and was taken to DCH medical center where he subsequently died from his injuries.

10. On or about October 23, 2014, Defendants, Nucor, and Fictitious Party Defendants A-D, employed Billy Edwards to operate the crane and are responsible for the actions of Billy Edwards either directly and/or under the theory of *respondeat superior*. Billy Edwards was acting as their agent, representative, servant and/or employee. Nucor, and Fictitious Party Defendants A-D are responsible for the maintenance and upkeep and service of the crane. Defendants Nucor and Fictitious Party Defendants A-D, are liable directly for negligence and/or wantonness for

the acts of Billy Edwards and the maintenance and service of the crane; negligent and/or wanton entrustment; negligent and/or wanton hiring; negligent and/or wanton training; negligent and/or wanton supervision of Billy Edwards.

COUNT ONE
NEGLIGENCE AND/OR WANTONNESS

11. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

12. On October 23, 2014, The defendants, Nucor and Fictitious Party Defendants A-D were negligent and/or wanton in the operation, maintenance and service of the crane and in causing the wheel of the crane floor rail to come into contact with Korey Thomas Ryan's foot pinning his foot in the floor rail system resulting in his body being crushed against a steel beam. The defendants are responsible for the negligent and/or wanton acts of the Billy Edwards either directly or under the theory of respondeat superior in causing the crane's wheel to come into contact with Korey Thomas Ryan causing him to get pinned against a steel beam and crushed to death.

13. As a proximate result of the defendants' negligent and/or

wanton conduct, Mr. Ryan sustained injuries resulting in his death.

WHEREFORE, PREMISES CONSIDERED, Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants, Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

COUNT TWO
NEGLIGENT/WANTON ENTRUSTMENT

14. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

15. At the aforesaid time and place, Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly entrusted their DeShazo bridge crane to Billy Edwards with actual and/or constructive knowledge that Billy Edwards was an unqualified and/or an incompetent operator of the Deshazo bridge crane. The defendants knew or should have known, prior to entrusting the crane to the crane operator, that he was unqualified and/or incompetent to operate the crane.

16. As a proximate consequence of the Defendants' negligent

and/or wanton entrustment, Plaintiff's decedent, Korey Thomas Ryan, was fatally injured and damaged as set forth above.

WHEREFORE, PREMISES CONSIDERED, Plaintiff, Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

COUNT THREE
NEGLIGENT/WANTON HIRING

17. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

18. Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly hired Billy Edwards which caused and/or contributed to cause the crane to come into contact with Korey Thomas Ryan pinning his foot in the floor rail system causing Korey Thomas Ryan to be crushed against a steel beam.

19. As a proximate cause of Defendants Nucor and Fictitious Defendants A-D negligence and/or wantonness, Plaintiff's decedent, Korey

Thomas Ryan, was fatally injured and damaged as set forth above.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

COUNT FOUR
NEGLIGENT/WANTON TRAINING

20. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

21. Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly trained Billy Edwards which caused and/or contributed to cause the crane to come into contact with Korey Thomas Ryan pinning his foot in the floor rail system causing Korey Thomas Ryan to be crushed against a steel beam.

22. As a proximate cause of Nucor and Fictitious Defendants A-D negligence and/or wantonness, Plaintiff's decedent, Korey Thomas Ryan, was fatally injured and damaged as set forth above.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Donna Cam Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

COUNT FIVE
NEGLIGENT/WANTON SUPERVISION

23. Plaintiff realleges all the allegations in the foregoing paragraphs as if fully set forth herein.

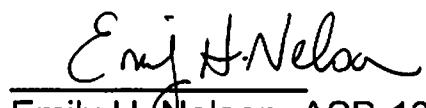
24. Defendants, Nucor and Fictitious Defendants A-D negligently and/or wantonly supervised, Billy Edwards which caused and/or contributed to cause the crane to come into contact with Korey Thomas Ryan pinning his foot in the floor rail system causing Korey Thomas Ryan to be crushed against a steel beam.

25. As a proximate cause of Defendants Nucor and Fictitious Defendants A-D negligence and/or wantonness, Plaintiff's decedent, Korey Thomas Ryan, was fatally injured and damaged as set forth above.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Donna Cam

Ryan, as Administrator of the Estate of Korey Thomas Ryan, Deceased demands judgment against the Defendants Nucor and Fictitious Party Defendants A-D in such an amount to which she may be entitled under the laws of the State of Alabama, for compensatory and punitive damages in an amount to be determined by the jury, plus costs of this action.

Done this the 26 day of March, 2015.



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Attorney for Plaintiff

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Larry W. Morris, ASB-1192-R80L
Attorney for Plaintiff

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JURY DEMAND

PLAINTIFF HEREBY DEMANDS TRIAL BY JURY ON ALL ISSUES OF THIS CAUSE.



Emily H. Nelson
Of Counsel

s/Larry W. Morris

Larry W. Morris
Of Counsel

s/Paul W. Patterson

Of Counsel

s/J. Michael Comer

Of Counsel

Please serve the Defendant with Summons and Complaint in this matter, via certified mail, at the address listed below:

Nucor Steel Tuscaloosa, Inc.
c/o Its Registered Agent
CT Corporation System
2 North Jackson Street
Suite 605
Montgomery, AL 36104